

REMARKS

The present application has 33 claims with Claims 17-24 and 32 withdrawn from consideration due to a restriction requirement. Claims 1 and 16, 25-31, and 33 are currently pending with Claims 1, 25, and 33 being independent claims. All claims stand rejected. Claim 33 is new.

Claims 1-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,045,048 to Irwin in view of U.S. Patent No. 6,390,216 to Suesheige, et al. Irwin was described as teaching, among other things, a mobile device with a steering mechanism including a pair of foot sleds. Suesheige was described as teaching, among other things, a mobile device with a product compartment and a motor.

The Applicant respectfully traverses the rejection. Claim 1 specifically recites that the steering mechanism includes a pair of foot sleds. Likewise, the specification describes in detail how the foot sleds are used to turn the vehicle. See paragraph [0052]. In Irwin, however, the foot sleds 42, 44 are used to propel the vehicle forward via shifting the operator's weight from one foot to the other. See col. 3, lines 4-19. The vehicle is steered, however, by the handle bar assembly 20. As such, Irwin does not show a steering mechanism having a pair of foot sleds as is claimed herein. The Applicant thus asserts that Claim 1, and the dependent claims thereon, are patentable over the cited references.

The Applicant further traverses the rejection of Claim 2 concerning a base being pivotably attached to the pair of foot sleds. Rather, the foot sleds appear to be directly connected to the transverse shaft 28.

The applicant further traverses the rejection to dependent Claim 3 concerning the pivot pins. A review of Irwin appears to show that the pivot pins are used so as to fold the vehicle. See col. 3, lines 49-65.

The Applicant further traverses the rejection of dependent Claim 4 concerning the steering mechanism using a pair of poles. Irwin has no description of the use of poles with respect to steering. Rather, Irwin has a single steering column 14.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin in view of Suesheige and further in view of U.S. Patent No. 6,712,171 to Farmer. Farmer was described as teaching a lid element that connects to a lockout device. The Applicant respectfully traverses the rejection for the reasons described above.

Claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin in view of Suesheige and further in view of U.S. Patent No. 6,502,656 to Weiss, et al. Weiss was described as teaching a mobile device with a top that is doubly hinged. The Applicant respectfully traverses the rejection for the reasons described above and for the reason that Weiss does not show a double hinged lid. Although Weiss does show the use of two hinges 28, only one panel is hinged as opposed to the two panel rotation claimed herein.

Claims 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin and Suesheige in further view of U.S. Patent No. 2,812,187 to Nicholl, et al. Nicholl was described as teaching a carrier with a lift mechanism. The Applicant respectfully traverses the rejection for the reason described above.

Claims 25, 29, and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suesheige. Suesheige was described as teaching a mobile device with a steering means and removable product compartment. The Applicant respectfully traverses the rejection. Claim 25

includes the means-plus-function element of the means for the driver to steer the personal transportation device while standing. The specification herein describes the combination of the poles and the foot sleds so as to provide banking turns. See paragraph [0052]. Such a combination is in no way present in Suesheige. Without such a disclosure of the specific means described herein, Suesheige is not an adequate 103 reference. The Applicant thus submits that independent claim 25, and the dependent claims thereon, are patentable over the reference.

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Suesheige in view of Weiss. The Applicant respectfully traverses the rejection for the reasons described above.

Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suesheige in view Nicholl. The Applicant respectfully traverses the rejection for the reasons described above.

Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Suesheige in view of Farmer. The Applicant respectfully traverses the rejection for the reasons described above.

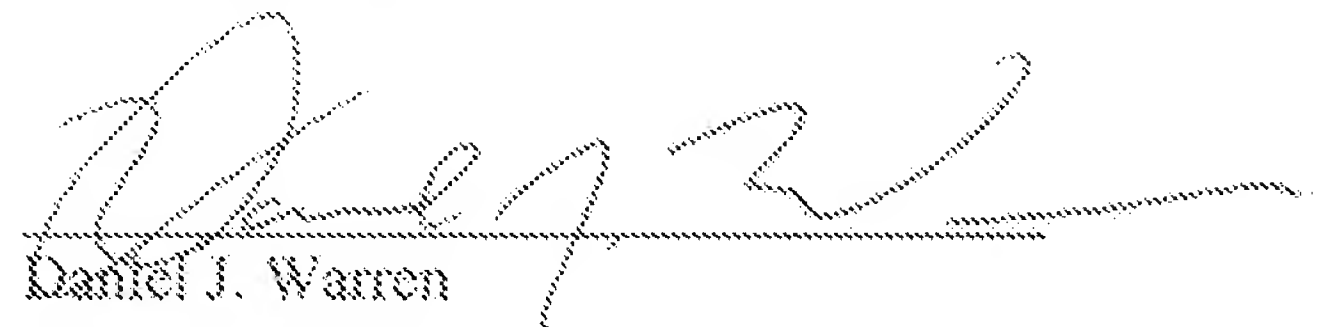
NEW CLAIM:

Claim 33 is new. The claim defines the interaction between the poles and the foot sleds of the steering mechanism.

CONCLUSION

The Applicant believes it has responded to each matter raised in the Office Action. Allowance of all claims is respectfully solicited. Any questions may be directed to the undersigned at 1.404.853.8028.

Respectfully submitted,



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